

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-20705

ALI DARWICH,

Defendant.

/

ORDER DENYING RENEWED MOTION TO OBTAIN EXPERT SERVICES

Before the court is another motion requesting that the court appoint an “expert or other services,” filed by pro se Defendant Ali Darwich. The court will once again deny the motion.

Under 18 U.S.C. § 3006A, “[c]ounsel for a person who is financially unable to obtain investigative, expert, or other services necessary for adequate representation may request them in an ex parte application.” 18 U.S.C. § 3006A(e)(1). If the court finds that the services are necessary and that the defendant is unable to afford them, the court shall authorize counsel to obtain the services at public expense. *Id.* The court has several times denied Defendant’s requests to appoint experts, each time explaining that Defendant had failed to show, or even allege, why it is necessary to appoint an expert or investigator at public expense.

The court accepts that Defendant is at least facially unable to pay for such services, but is still unpersuaded that appointment is required. Defendant’s newest motion contains a list of issues for which he purportedly requires an expert to

investigate. (12/13/11 Mot. at ¶ 4.) After reviewing the list, the court concludes that Defendant is not entitled to investigative or expert services at public expense. His list consists of issues which are (1) irrelevant, (2) related to a potential (as of yet unripe) motion under 28 U.S.C. ¶ 2255, (3) matters to which his stand-by counsel could attend, or (4) part of his persistent, wholly invented, theme of a grand conspiracy. The statutory standard for an expert is thus still unmet, and the court will deny his motion.

Accordingly,

IT IS ORDERED that Defendant's "Motion for Investigative Expert . . ." [Dkt. # 340] is DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 21, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 21, 2012, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522